

#4



Docket No. 1735.2.2

INVENTORS' DECLARATION FOR UTILITY PATENT APPLICATION

Application of **Ron McCabe et al.** filed this November __, 1999.

As a below named inventors, we hereby declare that:

Our residences, post office addresses, and citizenship are as stated below next to our names; we believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **FLEXIBLE REMOTE DATA MIRRORING**, the specification of which is attached hereto; we have reviewed and understand the contents of said specification, including the claims, and the accompanying Petition for Special Examining Procedure; and we acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

As named inventors, we hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John W. L. Ogilvie, Reg. No. 37,987
Genie L. Ogilvie, Reg. No. 43,841

Please direct all correspondence to:

John W. L. Ogilvie
Computer Law++
8 East Broadway, Suite 725
Salt Lake City, Utah 84111
801-355-0828 (voice)
801-355-0989 (fax)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

2

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. This Declaration may be executed in duplicate counterparts, each of which shall be deemed an original, all of which together are one and the same instrument.

Inventors

Ron McCabe, residing at and having a post office address of:
1084 South 400 East, Salt Lake City, Utah 84115
Citizenship: USA

Signed: _____

Date: _____

* * * * *

Robert Church, residing at and having a post office address of:
708 NW 19th #308, Portland, Oregon 97209
Citizenship: USA

Signed: Robert ChurchDate: Nov 15, 99

* * * * *

Tracy Camp, residing at and having a post office address of:
18850 SW Sieffert Rd., Sherwood, Oregon 97140
Citizenship: USA

Signed: _____

Date: _____

* * * * *

Stuart W. Card, residing at and having a post office address of:
7417 South Main Street, P.O. Box 61, Newport, New York 13416
Citizenship: USA

Signed: Stuart W CardDate: 1999 Nov 15

3

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. This Declaration may be executed in duplicate counterparts, each of which shall be deemed an original, all of which together are one and the same instrument.

Inventors

Ron McCabe, residing at and having a post office address of:
1084 South 400 East, Salt Lake City, Utah 84115
Citizenship: USA

Signed: _____

Date: 11-15-1999

* * * * *

Robert Church, residing at and having a post office address of:
708 NW 19th #308, Portland, Oregon 97209
Citizenship: USA

Signed: _____

Date: _____

* * * * *

Tracy Camp, residing at and having a post office address of:
18850 SW Sieffert Rd., Sherwood, Oregon 97140
Citizenship: USA

Signed: _____

Date: _____

* * * * *

Stuart W. Card, residing at and having a post office address of:
7417 South Main Street, P.O. Box 61, Newport, New York 13416
Citizenship: USA

Signed: _____

Date: _____

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. This Declaration may be executed in duplicate counterparts, each of which shall be deemed an original, all of which together are one and the same instrument.

Inventors

Ron McCabe, residing at and having a post office address of:
1084 South 400 East, Salt Lake City, Utah 84115
Citizenship: USA

Signed: _____ Date: _____

* * * * *

Robert Church, residing at and having a post office address of:
708 NW 19th #308, Portland, Oregon 97209
Citizenship: USA

Signed: _____ Date: _____

* * * * *

Tracy Camp, residing at and having a post office address of:
18850 SW Sieffert Rd., Sherwood, Oregon 97140
Citizenship: USA

Signed: Tracy Camp Date: 11/16/1999

* * * * *


Stuart W. Card, residing at and having a post office address of:
7417 South Main Street, P.O. Box 61, Newport, New York 13416
Citizenship: USA

Signed: _____ Date: _____

5

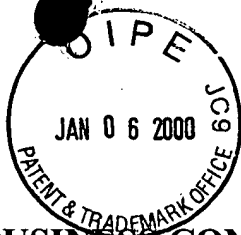
* * * * *

David J. Schroeder, residing at and having a post office address of:
17 Orchard Avenue, Whitesboro, New York, 13492-2815
Citizenship: USA

Signed: 

Date: 11/15/99

* * * * *



PATENT APPLICATION
Docket No. 1735.2.2

SMALL BUSINESS CONCERN SMALL ENTITY DECLARATION

I, the undersigned, hereby declare: that I am President of MiraLink Corporation, a Utah corporation whose address is 180 South 300 West, Suite 185, Salt Lake City, Utah 84101 ("MiraLink"); that I am empowered to act on behalf of MiraLink; and that MiraLink qualifies as a small business concern as defined in 13 C.F.R. 121.1301 - 1305 and 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under 35 U.S.C. §§ 41(a) and (b), with regard to the invention of Ron McCabe et al. entitled FLEXIBLE REMOTE DATA MIRRORING, as described in the patent application now identified as File No. 1735.2.2 of the law firm of Computer Law++, 8 East Broadway, Suite 725, Salt Lake City, Utah 84111, and filed in the United States Patent and Trademark Office as Serial No. 09/438,184 on November 11, 1999, in that the number of employees of MiraLink, including its affiliates, does not exceed 500 persons. I understand that the "number of employees" is the average number of full-time, part-time, and temporary employees employed during the pay periods of the previous fiscal year. I also understand that two businesses are "affiliates" when one directly or indirectly controls or has the power to control the other, or when the same third party or parties control or have the power to control both businesses. I further declare that MiraLink is Assignee of the entire right, title and interest in the invention, and has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any other entity or person.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at SALT LAKE CITY, UT, USA, this 29 day of November, 1999.
(City) (State)

Signed: 

Ron McCabe, President, MiraLink Corporation